

6120.3200 CRITERIA FOR LAND USE ZONING DISTRICT DESIGNATION.

Subpart 1. **Criteria.** The land use zoning districts established by local governments must be based on considerations of:

- A. preservation of natural areas;
- B. present ownership and development of shoreland areas;
- C. shoreland soil types and their engineering capabilities;
- D. topographic characteristics;
- E. vegetative cover;
- F. in-water physical characteristics, values, and constraints;
- G. recreational use of the surface water;
- H. road and service center accessibility;
- I. socioeconomic development needs and plans as they involve water and related land resources;
- J. the land requirements of industry which, by its nature, requires location in shoreland areas; and
- K. the necessity to preserve and restore certain areas having significant historical or ecological value.

Subp. 2. **Designation of zoning districts.** Local governments with adopted land use zoning districts in effect on the date of adoption of parts 6120.2500 to 6120.3900 may continue to use the districts until revisions are proposed. When amendments to zoning districts on lakes are considered, local governments, at least for all the shoreland within the community of the public water involved and preferably for all shoreland areas within the community, must revise existing zoning district and use provisions to make them substantially compatible with the framework in subpart 4. On a river, zoning districts and use provisions for all shoreland on both sides within the same class in the community must be revised to make them substantially compatible with the framework in subpart 5. If the same river class is contiguous for more than a five-mile segment, only the shoreland for a distance of 2.5 miles up and down stream or to the class boundary, if closer, need be evaluated. When an interpretation question arises about whether a specific land use fits within a category in subpart 4 or 5, the question must be resolved through procedures in local government official controls and state statutes.

Subp. 3. **Land use district descriptions.** Land use district descriptions are as follows:

- A. A special protection district is intended to be used for two basic purposes. The first purpose is to limit and properly manage development in areas that are generally

unsuitable for development or uses due to flooding, erosion, limiting soil conditions, steep slopes, or other major physical constraints. A second purpose is to manage and preserve areas with special historical, natural, or biological characteristics.

B. A residential district is primarily intended to allow low to medium density seasonal and year-round residential uses on lands suitable for such uses. It is also intended to prevent establishment of various commercial, industrial, and other uses in these areas that cause conflicts or problems for residential uses. Some nonresidential uses with minimal impacts on residential uses are allowed if properly managed under conditional use procedures.

C. A high density residential district is intended for use on lands with heterogeneous mixes of soils, vegetation, and topography that are not well suited to residential development using standard, lot-block subdivisions. This approach enables such areas to be developed, often even with higher than lot-block densities, while also avoiding and preserving unsuitable terrain and soils. Other compatible uses such as residential planned unit development, surface water-oriented commercial, multiple unit single-family, parks, historic sites, and semipublic, are also allowed, primarily as conditional uses.

D. A water-oriented commercial district is intended to be used only to provide for existing or future commercial uses adjacent to water resources that are functionally dependent on such close proximity.

E. A general use district is intended to be used only for lands already developed or suitable for development with concentrated urban, particularly commercial, land uses. It should not generally be used on natural environment lakes or remote river classes. Several other intensive urban uses such as industrial and commercial planned unit development are allowed in this district if handled as conditional uses.

Subp. 4. **Shoreland classifications and uses; lakes.** For the lake classes, districts, and uses in this subpart, P = permitted uses, C = conditional uses, and N = prohibited uses.

A. Lake classes in special protection districts.

Uses	General development	Recreational development	Natural environment
Forest management	P	P	P
Sensitive resource management	P	P	P
Agricultural: cropland and pasture	P	P	P
Agricultural feedlots	C	C	C
Parks and historic sites	C	C	C
Extractive use	C	C	C

Single residential	C	C	C
Mining of metallic minerals and peat	P	P	P

B. Lake classes in residential districts.

Uses	General development	Recreational development	Natural environment
Single residential	P	P	P
Semipublic	C	C	C
Parks and historic sites	C	C	C
Extractive use	C	C	C
Duplex, triplex, quad residential	P	P	C
Forest management	P	P	P
Mining of metallic minerals and peat	P	P	P

C. Lake classes in high density residential districts.

Uses	General development	Recreational development	Natural environment
Residential planned unit developments	C	C	C
Single residential	P	P	P
*Surface water oriented commercial	C	C	C
Semipublic	C	C	C
Parks and historic sites	C	C	C
Duplex, triplex, quad residential	P	P	P
Forest management	P	P	P

D. Lake classes in water-oriented commercial districts.

Uses	General development	Recreational development	Natural environment
Surface water-oriented commercial	P	P	C
**Commercial planned unit development	C	C	C
Public, semipublic	C	C	C

Parks and historic sites	C	C	C
Forest management	P	P	P

E. Lake classes in general use districts.

Uses	General development	Recreational development	Natural environment
Commercial	P	P	C
**Commercial planned unit development	C	C	C
Industrial	C	C	N
Public, semipublic	P	P	C
Extractive use	C	C	C
Parks and historic sites	C	C	C
Forest management	P	P	P
Mining of metallic minerals and peat	P	P	P

*As accessory to a residential planned unit development

** Limited expansion of a commercial planned unit development involving up to six additional dwelling units or sites may be allowed as a permitted use provided the provisions of part 6120.3800, subpart 2, are satisfied

Subp. 5. **Shoreland classifications and uses; rivers.** For the river classes, districts, and uses in this subpart, P = permitted uses, C = conditional uses, and N = prohibited uses.

A. River classes in special protection districts.

Uses	Re-mote	For-ested	Trans-ition	Agri-cultural	Urban	Tribu-tary
Forest management	P	P	P	P	P	P
Sensitive resource management	P	P	P	P	P	P
Agricultural: cropland and pasture	P	P	P	P	P	P
Agricultural feedlots	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Extractive use	C	C	C	C	C	C
Single residential	C	C	C	C	C	C
Mining of metallic minerals and peat	P	P	P	P	P	P

B. River classes in residential districts.

Uses	Re- mote	For- ested	Trans- ition	Agri- cultural	Urban	Tribu- tary
Single residential	P	P	P	P	P	P
Semipublic	C	C	C	C	C	P
Parks and historic sites	C	C	C	C	C	P
Extractive use	C	C	C	C	C	C
Duplex, triplex, quad residential	C	C	C	C	P	C
Forest management	P	P	P	P	P	P
Mining of metallic minerals and peat	P	P	P	P	P	P

C. River classes in high density residential districts.

Uses	Re- mote	For- ested	Trans- ition	Agri- cultural	Urban	Tribu- tary
Residential planned unit developments	C	C	C	C	C	C
Single residential	P	P	P	P	P	P
*Surface water oriented commercial	C	C	C	C	C	C
Semipublic	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Duplex, triplex, quad residential	P	P	P	P	P	P
Forest management	P	P	P	P	P	P

D. River classes in water-oriented commercial districts.

Uses	Re- mote	For- ested	Trans- ition	Agri- cultural	Urban	Tribu- tary
Surface water-oriented commercial	C	C	C	C	C	C
**Commercial planned unit development	C	C	C	C	C	C
Public, semipublic	C	C	C	P	P	P
Parks and historic sites	C	C	C	C	C	C
Forest management	P	P	P	P	P	P

E. River classes in general use districts.

Uses	Re- mote	For- ested	Trans- ition	Agri- cultural	Urban	Tribu- tary
Commercial	C	C	C	C	P	C
**Commercial planned unit development	C	C	C	C	C	C
Industrial	N	C	N	N	C	C
Public, semipublic	C	C	C	C	P	C
Extractive use	C	C	C	C	C	C
Parks and historic sites	C	C	C	C	C	C
Forest management	P	P	P	P	P	P
Mining of metallic minerals and peat	P	P	P	P	P	P

*As accessory to a residential planned unit development

** Limited expansion of a commercial planned unit development involving up to six additional dwelling units or sites may be allowed as a permitted use provided the provisions of part 6120.3800, subpart 2, are satisfied

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